THE HON'BLE SRI JUSTICE D.S.R.VARMA

WRIT PETITION NO.843 OF 2006

DATED:17.1.2006

Between:

Mohd. Abdul Rahman and others

…Petitioners

And

The Mandal Revenue Officer

Saroornagar Mandal

Ranga Reddy District and another

…Respondents

THE HON'BLE SRI JUSTICE D.S.R.VARMA

WRIT PETITION NO.843 OF 2006

ORDER:

The Writ Petition is filed seeking a Writ of Mandamus declaring the action of the first respondent in directing the petitioners to vacate their houses by 17.1.2006, and threatening to demolish their houses constructed in the land in S.No.99/1 of Pahadi Shareef, Mamidipally Village, Saroornagar Mandal, Ranga District, as illegal and in contravention of G.O.Ms.No.1601, dt.29.8.2005 and consequently to direct the respondents not to evict the petitioners or demolish the petitioners houses.

It is stated by the learned counsel for the petitioners that the Government has evolved a policy regarding regularization of encroachments by way of dwelling houses on Government lands situated in certain areas. Therefore, the action of the respondents is illegal.

Admittedly, the land in which the petitioners have constructed their houses belongs to the Government. But, the petitioners have been in possession of the land allegedly since 1986. As the petitioners are in possession of Government land, they cannot have any right of assignment. As contended by the learned counsel for the petitioners there is a policy evolved by the Government by virtue of G.O.Ms.No.1601, dt.29.8.2005. Therefore, they can make representation to the Government requesting to consider their case as per G.O.Ms.No.1601, dt.29.8.2005 and then, it is for the Government to consider the case of the petitioners and similarly situated persons as regards their eligibility etc., in order to implement the scheme of the G.O.

Therefore, the Writ Petition is disposed of with a direction to the Government to consider the petitioners' representations, if any, in the light of G.O.Ms.No.1601, dt.29.8.2005, as expeditiously as possible. Till such time, the petitioners, if they are in possession of houses as on today, shall not be dispossessed.

_____

(D.S.R. VARMA, J)

17.1.2006

NOTE: Operative portion of the order

may be communicated by

Wire at party's cost.

(B.O)

bnr